IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3197 OF 2004

IN

SUMMARY SUIT NO.3033 OF 2004

Mr.Chetan Mehrotra ... Plaintiff.

vs.

1. M/s.Priya International & another. .... Defendants.

Mr.Prakash Shinde i/b. M.Dhruva & Co., for Plaintiff.

None for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 15th September,2005

P.C.:-

1. This is a notice of motion taken out by the plaintiff. The plaintiff has filed the suit for a money decree. By this Notice of Motion, the plaintiff seeks order of furnishing security and also attachment before judgment. I have heard the learned Counsel for plaintiff. Perused the affidavit filed in support of Notice of motion and also the reply filed by the defendants. According to the plaintiff, the

defendants are trying to dispose of the property in order to defeat the decree that may be passed against the defendants. The defendants have denied all the allegations in the reply. The plaintiff has not filed any counter affidavit. On the basis of material which is produced on record by the plaintiff, in my opinion, it cannot be said that the defendants are disposing of the property with an intention to defeat the decree that may be passed in favour of the plaintiff. Hence, the Notice of Motion is disposed of.